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PTO/SB/21 (09-04)

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Total Number of Pages in This Submission

Application Number	10/030,386
Filing Date	May 16, 2002
First Named Inventor	Martin Sagasser et al.
Art Unit	1638
Examiner Name	Russell Kallis
Attorney Docket Number	DEBE:005US

ENCLOSURES (Check all that apply)

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Fulbright & Jaworski, LLP		
Signature			
Printed name	Steven L. Highlander		
Date	May 11, 2005	Reg. No.	37,642

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Martin Sagasser et al.

Serial No.: 10/030,386

Filed: May 16, 2002

For: PLANTS WITH MODIFIED GENE
EXPRESSION

Group Art Unit: 1638

Examiner: Russell Kallis

Atty. Dkt. No.: DEBE:005US/SLH

RESPONSE TO RESTRICTION REQUIREMENT DATED DECEMBER 9, 2004

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Commissioner:

This paper is submitted in response to the Restriction Requirement dated April 20, 05 for which the date for response is May 20, 2005.

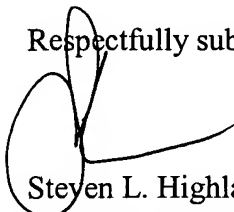
It is believed that no fee is due; however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to this document, the Commissioner is authorized to deduct said fees from Fulbright & Jaworski L.L.P. Account No.: 50-1212/DEBE:005US/SLH.

In response to the restriction requirement which the Examiner imposed, Applicants elect, to prosecute claims 13-22, 24-27, 29-30, *i.e.*, the Group IV claims and SEQ ID NO: 4. However,

applicants traverse the selection of only SEQ ID NO: 4 and would request that examiner consider searching a nucleic acid SEQ ID NO: 2 as well, given the structural similarities between the two.

The Examiner is invited to contact the undersigned attorney at (512) 536-3184 with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Steven L. Highlander", is written over the printed name.

Steven L. Highlander
Reg. No. 37,642
Attorney for Applicants

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Date: May 11, 2005